

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

OSCAR LUNA MERCADO,

Defendant.

Case No. CR16-287JLR

**DETENTION ORDER**

The Court, having conducted a detention hearing pursuant to Title 18 U.S.C. § 3142(f), and based upon the factual findings and statement of reasons for detention hereafter set forth, finds that no condition or combination of conditions which the defendant can meet will reasonably assure the appearance of the defendant as required and the safety of any other person and the community.

**FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION**

(1) Defendant has been charged by indictment with conspiracy to distribute controlled substances. Defendant stipulates to detention. Defendant has no prior criminal convictions for felony offenses. Defendant is reportedly a citizen of Mexico. The United States alleges that his presence in this country is illegal. There is an immigration detainer pending against him. The Court received no information about defendant's personal history, residence,

1 family or community ties, employment history, financial status, health, and substance use. The  
2 defendant through his attorney made no argument as to release, lodged no objections to the  
3 contents of the United States Probation and Pretrial report, and stipulated to detention.

4 It is therefore **ORDERED**:

5 (1) Defendant shall be detained pending trial and committed to the custody of the  
6 Attorney General for confinement in a correctional facility separate, to the extent practicable,  
7 from persons awaiting or serving sentences, or being held in custody pending appeal;


8 (2) Defendant shall be afforded reasonable opportunity for private consultation with  
9 counsel;

10 (3) On order of a court of the United States or on request of an attorney for the  
11 Government, the person in charge of the correctional facility in which Defendant is confined  
12 shall deliver the defendant to a United States Marshal for the purpose of an appearance in  
13 connection with a court proceeding; and

14 (4) The Clerk shall direct copies of this order to counsel for the United States, to  
15 counsel for the defendant, to the United States Marshal, and to the United States Pretrial Services  
16 Officer.

17 (5) Either party may move to reopen the detention hearing should additional  
18 information become available upon proper motion and supporting affidavit.

19 DATED this 9<sup>th</sup> day of November, 2016.

20   
21 PAULA L. MCCANDLIS  
22 United States Magistrate Judge  
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